Amendments to the Claims:

    This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

    1.   (Currently Amended): An image processing device for acquiring image data to be processed, extracting a spectrum of a predetermined physical quantity in said image data, making a determination as to whether or not said spectrum has a plurality of peaks, and performing a process based on a result of the determination [[.]], wherein

    the determination as to whether or not said spectrum has a plurality of peaks is made based on, with respect to said spectrum, an integral value of a range where said physical quantity is no greater than a first threshold, and an integral value of a range where said physical quantity is no smaller than a second threshold which is greater than said first threshold; and

    at least one of said first and second thresholds is set based on an average level of said physical quantity.

    2.   (Original): The image processing device according to claim 1, wherein said physical quantity is a signal varied in accordance with a change in an amount of light or a luminance.

    3.   (Canceled).

    4.   (Canceled).

    5.   (Currently Amended): The image processing device according to claim 2 1, wherein

said first threshold is smaller than the average level of said physical quantity, and said second threshold is greater than the average level of said physical quantity, and

said spectrum is determined as having a plurality of peaks when satisfying at least two conditions out of:

a first condition that an integral value of a range where said physical quantity is no greater than said first threshold is no smaller than a first percentage of an integral value of the entire range;

a second condition that an integral value of a range where said physical quantity is no smaller than said second threshold is no smaller than a second percentage of the integral value of the entire range; and

a third condition that a sum of the integral value of the range where said physical quantity is no greater than said first threshold and the integral value of the range where said physical quantity is no smaller than said second threshold is no smaller than a third percentage of the integral value of the entire range.

6.   (Currently Amended): An image processing method for acquiring image data to be processed, extracting a spectrum of a predetermined physical quantity in said image data, comprising:

the step for making a determination as to whether or not said spectrum has a plurality of peaks, and the step for performing a process based on a result of the determination[[.]], wherein

the determination as to whether or not said spectrum has a plurality of peaks is made based on, with respect to said spectrum, an integral value of a range where said physical quantity is no greater than a first threshold, and an integral value of a range where said physical quantity is no smaller than a second threshold which is greater than said first threshold, and

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at least one of said first and second thresholds is set based on an average level of said physical quantity.

7.   (Original): The image processing method according to claim 6, wherein said physical quantity is a signal varied in accordance with a change in an amount of light or a luminance.

8.   (Canceled).

9.   (Canceled).

10.   (Currently Amended): The image processing method according to claim 7 6, wherein

said first threshold is smaller than the average level of said physical quantity, and said second threshold is greater than the average level of said physical quantity, and

said spectrum is determined as having a plurality of peaks when satisfying at least two conditions out of:

a first condition that an integral value of a range where said physical quantity is no greater than said first threshold is no smaller than a first percentage of an integral value of the entire range;

a second condition that an integral value of a range 25 where said physical quantity is no smaller than said second threshold is no smaller than a second percentage of the integral value of the entire range; and

a third condition that a sum of the integral value of the range where said physical quantity is no greater than said first threshold and the integral value of the range where said physical quantity is no smaller than said second threshold is no smaller than a third percentage of the integral value of the entire range.

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11.   (Canceled).